

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** Chairman Jon C. Sesso, on March 6, 2009 at 3:00 P.M., in Room 102 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Jon C. Sesso, Chairman (D)  
Rep. Duane Ankney (R)  
Rep. Dennis Getz (D)  
Rep. Bill E. Glaser (R)  
Rep. Ray Hawk (R)  
Rep. Teresa K. Henry (D)  
Rep. Cynthia Hiner (D)  
Rep. Roy Hollandsworth (R)  
Rep. Galen Hollenbaugh (D)  
Rep. Llew Jones (R)  
Rep. Dave Kasten (R)  
Rep. Bill McChesney (D)  
Rep. Walter McNutt (R)  
Rep. Robert Mehlhoff (D)  
Rep. Penny Morgan (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Don Roberts (R)  
Rep. Cheryl Steenson (D)  
Rep. Dan Villa (D)

**Members Excused:** Rep. Bill Nooney (R)

**Members Absent:** None

**Staff Present:** Jon Moe, Legislative Branch  
Samuel Speerschneider, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 2, 2/25/2009

Executive Action: HB 2 Section A

**HEARING ON HB 2, SECTION A**

00:00:28 Rep. McChesney  
00:08:05 Clayton Schenck, Legislative Fiscal Analysts  
00:10:30 Tori Hunthausen, Legislative Auditor  
00:10:44 Susan Byron Fox, Executive Director, Legislative  
Services Division  
00:11:52 Rep. McChesney  
00:12:37 Bob Nelson, Consumer Counsel  
00:13:00 Rep. McChesney  
00:13:50 Bruce Nelson, Chief of Staff, Governor's Office  
00:16:05 Dennis Unsworth, Commissioner of Political Practices  
00:22:03 Rep. Hollenbaugh  
00:22:21 Mr. Unsworth  
00:23:36 Rep. Hollenbaugh  
00:23:56 Mr. Unsworth  
00:25:22 Rep. Hollenbaugh  
00:25:45 Mr. Unsworth  
00:26:34 Rep. McChesney  
00:27:19 Linda McCulloch, Secretary of State  
00:28:09 Rep. McChesney  
00:29:35 Monica Lindeen, State Auditor  
00:34:00 Rep. McChesney  
00:36:08 Dan Bucks, Director, Department of Revenue  
00:43:05 Rep. Roberts  
00:43:24 Mr. Bucks  
00:44:16 Rep. Getz  
00:44:42 Mr. Bucks  
00:47:07 Rep. Getz  
00:47:29 Mr. Bucks  
00:47:56 Rep. McChesney  
00:50:10 Janet Kelly, Director, Department of Administration

**EXHIBIT (aph50b01)**

00:51:41 Rep. Hollenbaugh  
00:52:13 Ms. Kelly  
00:52:42 Rep. Hollenbaugh  
00:53:42 Rep. Roberts  
00:53:53 Ms. Kelly  
00:54:25 Rep. McNutt  
00:54:54 Rep. McChesney  
00:56:47 Tony Preite, Director, Montana Department of Commerce  
01:06:00 Rep. McChesney

01:07:28 Keith Kelly, Commissioner, Department of Labor and  
Industry  
01:10:17 Rep. Morgan  
01:11:23 Rep. McChesney  
01:12:33 Rep. Hawk  
01:12:52 Matt Staynor, Legislative Fiscal Division (LFD)  
01:13:51 Rep. Morgan  
01:15:08 Greg Dewitt, LFD  
01:16:09 Rep. McChesney  
01:17:44 Rep. Hollenbaugh  
01:19:12 Dick Clark, Chief Information Officer  
01:20:01 Rep. Hollenbaugh  
01:20:29 Mr. Clark  
01:21:26 Rep. McChesney  
01:23:21 Brigadier General Jon Walsh  
01:25:46 Rep. McChesney  
01:26:17 Rep. Roberts  
01:26:42 Mr. Walsh

**Public Comments:**

01:28:28 Mark McClaverty, Assistant Attorney General  
01:29:33 Andy Poole, Deputy Director, Department of Commerce  
**EXHIBIT (aph50b02)**  
01:32:57 Conrad Stewart, Crow Nation  
01:39:08 Kate Cholewa, Montana Common Cause  
01:40:19 Shawn Real Bird, Chairman, State Tribal Commission  
01:46:47 Pam Bucy, Federated Salish and Kootenai Tribe  
01:47:39 Tom Kaiserski, Department of Commerce  
01:50:02 Rep. Morgan  
01:50:53 Mr. Kaiserski  
01:51:42 Rep. Morgan  
01:52:23 Mr. Kaiserski  
01:53:05 Rep. McChesney  
  
01:54:14 Recess  
02:29:23 Reconvene  
  
02:29:33 Chairman Sesso

**EXECUTIVE ACTION ON HB 2 SECTION A**

02:30:48 **Motion:** Rep. Hollenbaugh moved that **HB 2 BE AMENDED.**  
**EXHIBIT (aph50b03)**

**Discussion:**

02:32:21 Rep. Steenson

02:33:19 Rep. Ankney  
02:35:29 Rep. Kasten  
02:36:13 Rep. Hollenbaugh  
02:37:17 Chairman Sesso  
02:37:29 Rep. Kasten  
02:37:51 Chairman Sesso  
02:39:44 Rep. Glaser  
02:40:24 Chairman Sesso  
02:41:55 Rep. Kasten  
02:42:26 Rep. Pease-Lopez  
02:42:41 Rep. Morgan  
02:43:08 Chairman Sesso  
02:43:32 Rep. Morgan  
02:43:39 Chairman Sesso  
02:44:07 Rep. Villa  
02:45:39 Chairman Sesso  
02:47:04 Rep. Jones  
02:48:29 Chairman Sesso  
02:49:28 Rep. Hawk  
02:49:38 Chairman Sesso  
02:50:50 Rep. Hawk  
02:50:58 Rep. Roberts  
02:51:30 Chairman Sesso  
02:52:55 Rep. Hollenbaugh

02:53:22 **Vote:** Motion carried by voice vote 17-3, with Rep. Hawk, Rep. Kasten and Rep. Hollandsworth voting no. Rep. Nooney voted by proxy.

02:54:11 **Motion:** Rep. Hiner moved that **HB 2 BE AMENDED. EXHIBIT (aph50b04)**

**Discussion:**

02:55:15 Rep. Morgan  
02:55:41 Rep. Hiner  
02:55:44 Chairman Sesso

02:56:05 **Vote:** Motion carried by voice vote 17-3, with Rep. Hawk, Rep. Kasten and Rep. Hollandsworth voting no. Rep. Ankney and Rep. Nooney voted by proxy.

02:56:53 **Motion:** Rep. McChesney moved that **HB 2 BE AMENDED. EXHIBIT (aph50b05)**

**Discussion:**

02:57:39 Rep. Hollenbaugh  
02:58:01 Chairman Sesso

02:59:00 **Vote:** Motion carried by voice vote, 19-1 with Rep. Kasten voting no. Rep. Nooney and Rep. Ankney voted by proxy.

02:59:41 **Motion:** Rep. McChesney moved that **HB 2 BE AMENDED.**  
**EXHIBIT**(aph50b06)

**Discussion:**

03:00:26 Rep. McChesney  
03:01:26 Chairman Sesso  
03:01:37 Rep. Glaser  
03:02:20 Rep. Morgan  
03:02:46 Chairman Sesso  
03:03:05 Rep. Villa  
03:03:31 Rep. Morgan  
03:04:08 Rep. McChesney withdrew his motion.  
03:04:42 Mr. Staynor, LFD  
03:05:41 Chairman Sesso

03:05:50 **Motion:** Rep. McChesney moved that **HB 2 BE AMENDED.**

**Discussion:**

03:06:58 Chairman Sesso  
03:07:11 Rep. Morgan  
03:07:54 Rep. Kasten  
03:10:39 Rep. Villa  
03:12:31 Rep. Jones  
03:14:40 Rep. Ankney  
03:15:25 Rep. Kasten

03:16:27 **Vote:** Motion carried by voice vote, 18-2 with Rep. Kasten and Rep. Hawk voting no. Rep. Nooney voted by proxy.

03:16:55 **Motion:** Rep. McChesney moved that **HB 2 BE AMENDED.**  
**EXHIBIT**(aph50b07)

**Discussion:**

03:17:47 Rep. Steenson  
03:18:07 Rep. McNutt  
03:20:16 Rep. McChesney

03:20:29 **Vote:** Motion carried by voice vote, 16-4 with Rep. Mehlhoff, Rep. Hawk, Rep. Hollandsworth, and Rep. Kasten voting no. Rep. Nooney voted no.

03:22:10 **Motion:** Rep. McNutt moved that **HB 2 BE AMENDED.**  
**EXHIBIT (aph50b08)**

03:24:14 **Vote:** Motion carried by voice vote, 18-2 with Rep.  
Hawk and Rep. Kasten voting no. Rep. Nooney voted no.

03:25:05 **Motion:** Rep. McChesney moved that **HB 2 BE CONCEPTUALLY**  
**AMENDED.**

03:26:37 Chairman Sesso

03:26:50 Rep. McNutt

03:27:26 Chairman Sesso

03:28:53 **Vote:** Motion carried unanimously by voice vote. Rep.  
Nooney voted by proxy.

03:29:57 Chairman Sesso

03:30:30 Mr. Staynor

03:31:35 Rep. Glaser

03:32:29 Chairman Sesso

03:32:33 Rep. Villa

03:33:39 Chairman Sesso

03:33:58 **Motion:** Chairman Sesso moved that **HB 2 BE AMENDED.**  
**EXHIBIT (aph50b09)**

03:34:55 **Vote:** Motion carried by voice vote, 17-3 with Rep.  
Hawk, Rep. Rep. Kasten and Rep. Hollandsworth voting  
no. Rep. Nooney voted by proxy.

03:35:18 **Motion:** Rep. Villa moved to close Section A.

03:35:34 **Vote:** Motion carried unanimously by voice vote. Rep.  
Nooney voted by proxy.

03:35:43 Chairman Sesso

03:39:06 Rep. Morgan

03:39:32 Chairman Sesso

03:40:26 Rep. Glaser

03:40:52 Rep. Villa

03:41:14 Rep. Glaser

03:41:25 Rep. Hawk

03:42:20 Chairman Sesso

**ADJOURNMENT**

03:42:28 Adjournment: 6:45 P.M.

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Samuel Speerschneider, Secretary

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Additional Documents:

**EXHIBIT ([aph50bad.pdf](#))**